TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3B (205.3) to allow a side YARD setback of 5 feet in lieu of the required 15 feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) For the construction of a garage (as shown on plat) to be NWIZ-IZ Property is to be posted and advertised as prescribed by Zoning Regulations I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this propertition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): SHELDON FRANKLIN 3ND LINDA H. FRANKLIN 7 Briarfield Court 828 7524 CEIVED Lutherville, Maryland 21093 Name, address and phone number of legal owner, con-ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_ 10th \_\_\_\_ day of \_\_\_\_\_\_\_, 19\_81\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ 7th \_\_\_\_ day of \_\_April \_\_\_\_, 19\_81 at 9:30 o'clock Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MAPYLAND 21204
494-3211

March 11, 1981

Mr. William Hammond, Zoning Commissioner Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #139, Zoning Advisory Committee Meeting, February 10, 1981, are as follows:

Property Owner: Sheldon & Linda H. Franklin, III Location: S/S Briarfield Court 310' W. of Tally-Ho Road Acres: 85.59/130.61 X 160.76/149.29 District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

Planner III Current Planning and Development

RE: PETITION FOR VARIANCE S/S of Briarfield Ct., 310' W of Taily-Ho Rd., 8th District

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

SHELDON FRANKLIN, III, et ux, : Case No. 81-171-A

ORDER TO ENTER APPEARANCE

::::::

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman Deputy People's Counsel

John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 18th day of March, 1981, a copy of the aforegoing Order was mailed to Mr. and Mrs. Sheldon Franklin, III, 7 Briarfield Court, Lutherville, Maryland 21093, Petitioners.

BALTIMORE COUNTY

**ZONING PLANS** 



PETITION AND SITE PLAN

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

March 27, 1981

COUNTY OFFICE BLDG. 111 W. Cnesapeake Ave. Towson, Maryland 21204

Mr. & Mrs. Sheldon Franklin, III 7 Briarfield Court Lutherville, Maryland 21093

the requested zoning.

RE: Item No. 139 Petitioner - Sheldon Franklin, III, et ux

Variance Petition

Dear Mr. & Mrs. Franklin:

Bureau of Department of Traffic Engineering

Realth Department Project Planning Building Department Board of Education Zoning Administration Industrial Development

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing

In view of your proposal to construct an addition to the side of your existing dwelling, this Variance is required. In order to obtain an explanation of the comment from the Department of Permits and Licenses, you may contact Mr. Ted Burnham at 494-3987.

on this case. The Director of Planning may file a written report with

the Zoning Commissioner with recommendations as to the suitability of

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

> Very truly yours, Chairman Zoning Plans Advisory Committee

NBC:bsc

Enclosures

cc: McKee, DuVal & Associates, Inc.

1717 York Road Lutherville, Md. 21093

baltimore county department of traffic engineering TOWSON, MARYLAND 21204 STEPHEN E. COLLINS

March 16, 1981

Mr. William Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

With regard to ZAC meeting of February 10, 1981, this department has no comment on items #137 thru 141 as well as item #143 and #144.

Very truly yours,

Engineer Associate II

MSF/bza

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204 DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

March 16, 1981

Mr. William E. Hammond Zoning Commissioner
Office of Planring and Zoning
County Office Building Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item 139, Zoning Advisory Committee Meeting of February 10, 1981, are as follows:

> Property Owner: Sheldon and Linda H. Franklin, 111
> Location: S/S Briarfield Court 310 'W of Tally-Ho Road Existing Zoning: D.R. 2 Proposed Zoning: Variance to permit a side yard setback of 5'

in lieu of the required 15' 85.59/130.61 X160.76 149.29 Acres: District:

Metropolitan water and sewer exist, therefore the proposed garage should not pose any health hazards.

BUREAU OF ZNVIRONMENTAL SERVICES

IJF/kc

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE CHIEF

March 6, 1981

Mr. William Hammond Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

Re: Property Owner: Sheldon & Linda H. Franklin, III

Location: 5/S Briarfield Court 310' W. of July-Ho Road

Zoning Agenda: Meeting of Feb. 10,1981

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below, marked with in "X", are applicable and required to be corresed or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards, as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(XX 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 \*Life Safety Code\*, 1978 Edition prior to occupancy.

( ) 6. Site plans are approved as drawn.

( ) 7. The Fire Prevention Bureau has no comments, at this time.

PLAINING GROUP
SPECIAL INSPECTION DIVISION

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/worldxxxx result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /stockide more be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, the day of April , 19 81 , that the herein Petition for Variance(s) to permit a \* le yard setback of five feet in lieu of the required fifteen, for the expressed purpose of constructing a two-car garage attached to the existing dwelling, in accordance with the site plan prepared by McKee, Duvall and Associates, Inc., dated November 4, 1980, and marked Petitioners' Exhibit 1B, and in keeping with the sketches marked Petitioners' Exhibits 1 and 1A, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The bank existing between Lots 6 and 7 shall be protected and stabilized by railroad ties and shrubbery as depicted on Petitioners' Exhibits 1 and 1A.

2. The water collected by the rain gutters and down spouts shall be drained into collector pipe(s) under the garage floor and discharged into the Petitioners' rear yard.

Approval of the aforementioned site plan by the Department of Public Works and the Office of Planning and Zoning.

> Millian Zoning Commissioner of Baltimore County

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204

> TED ZALESKI, JR. DIRECTOR February 20, 1981

Mr. William E. Hammond, Zoning Commissioner Office of Flanning and Zoning County Office Building

Towson, Maryland 21204

Commercs on Item #139coning Advisory Committee Meeting, February 10, 1981

Sheldon & Linda H. Franklin , III S/S Briarfield Court 310' W of Tally Ho Road Existing Zoning: D.R. 2

Tariance to permit a side yard setback of 5' in lieu of the required 15'.

85.59/130.61 X 160.76/149.29

The items checked below are applicable:

y A. All structures shall conform to the Baltimore County Building Code 1978,

X B. A building/ \_\_\_\_\_permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engines. seal is/is not required.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

X E. In wood frame construction an exterior wall erected within 6' 0 of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0 of lot line. A minimum 8" masonry firewall is required if construction

F. Requested variance conflicts with the Baltimore County Building Code,

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set s of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction

X I. Comments Also comply with Section 413.1.1 B.O.C.A. 1978 Edition.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeaks Ave., Towson.

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: February 9, 1981

Mr. William E. Hammond Zoning Commissioner Baltimore County Office Building 1111 West Chesapeake Avenue Towson, Maryland 21204

Z.A.C. Meeting of: February 10, 1981

RE: Item No: 137, 138, 139, 140, 141, 142, 143, 144 Property Owner: Location: Present Zoning: Proposed Zoning:

District: No. Acres:

Dear Mr. Hammond

All of the above have no bearing on student population.

Very truly yours, ( ne Wich Persont Wm. Nick Petrovich, Assistant Department of Planning

WNP/bp

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P. E. DIRECTOR

March 5, 1981

Mr. William E. Hammond Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #139 (1980-1981) Property Owner: Sheldon & Linda H. Franklin, III S/S Briarfield Ct. 310' W. of Tally-Ho Rd. Acres: 85.59/130.61 x 160.76/149.29 District: 8th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Baltimore County highway and utility improvements are not directly involved and are as secured by Public Works Agreement 86701, executed in conjunction with the development of Seminary Ridge, of which this property is Lot 6, Block B, Plat One, Seminary Ridge, recorded O.T.G. 32, Folio 20.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 139 (1980-1981).

RAM: EAM: FWR:ss cc: Jack Wimbley S-SE Key Sheet NW 12 B Topo 60 Tax Map

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond Zoning Commissioner Norman E. Gerber, Director Office of Planning and Zoning

RECEIVED

March 17, 1981

SUBJECT Petition No. 81-171-A Item 139

Petition for Variance for side yard setback South side of Briarfield Court, 310 feet West of Tally-Ho Road Petitioner- Sheldon Franklin, III, et ux

Eighth District

HEARING: Tuesday, April 7, 1981 (9:30 A.M.)

There are no comprehensive planning factors requiring comment on this petition.

Office of Planning and Zoning

NEG:JGH:ab

## BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond Zoning Commissioner

March 17, 1981

Norman E. Gerber, Director Office of Planning and Zoning

Petition No. 81-171-A Item 139

Petition for Variance for side yard setback
South side of Briarfield Court, 310 feet West of Tally-Ho Road Petitioner-Sheldon Franklin, III, et ux

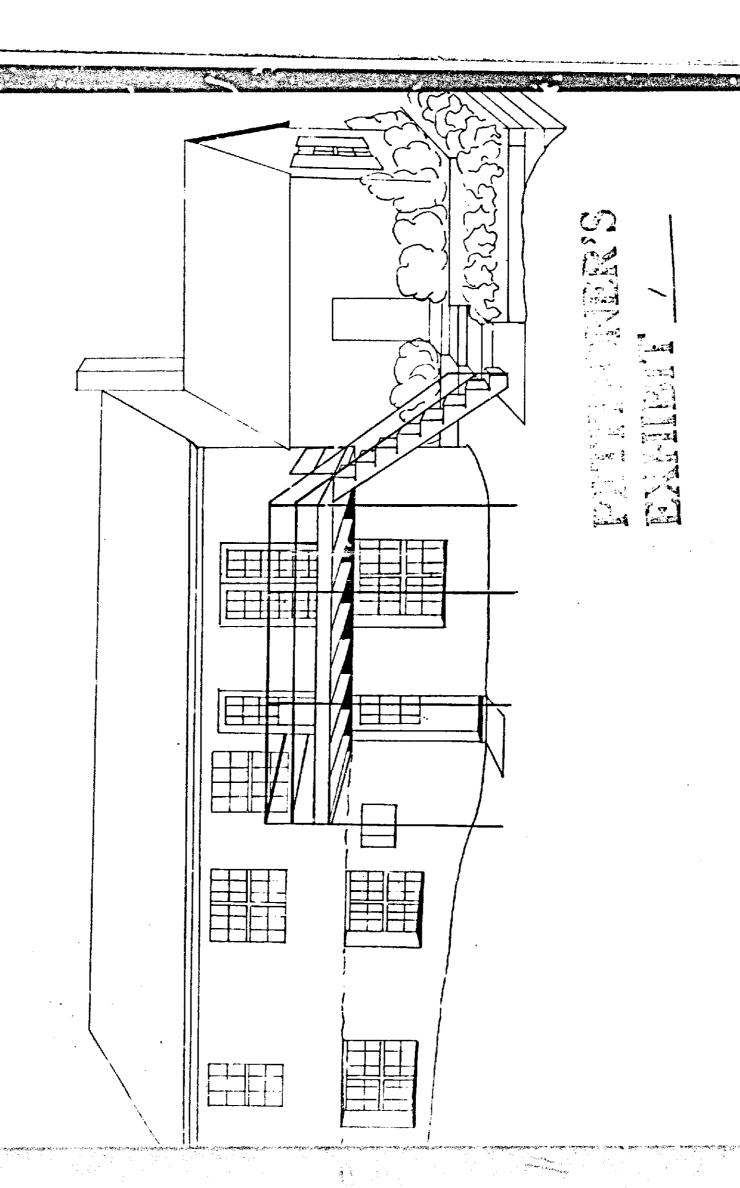
Eighth District

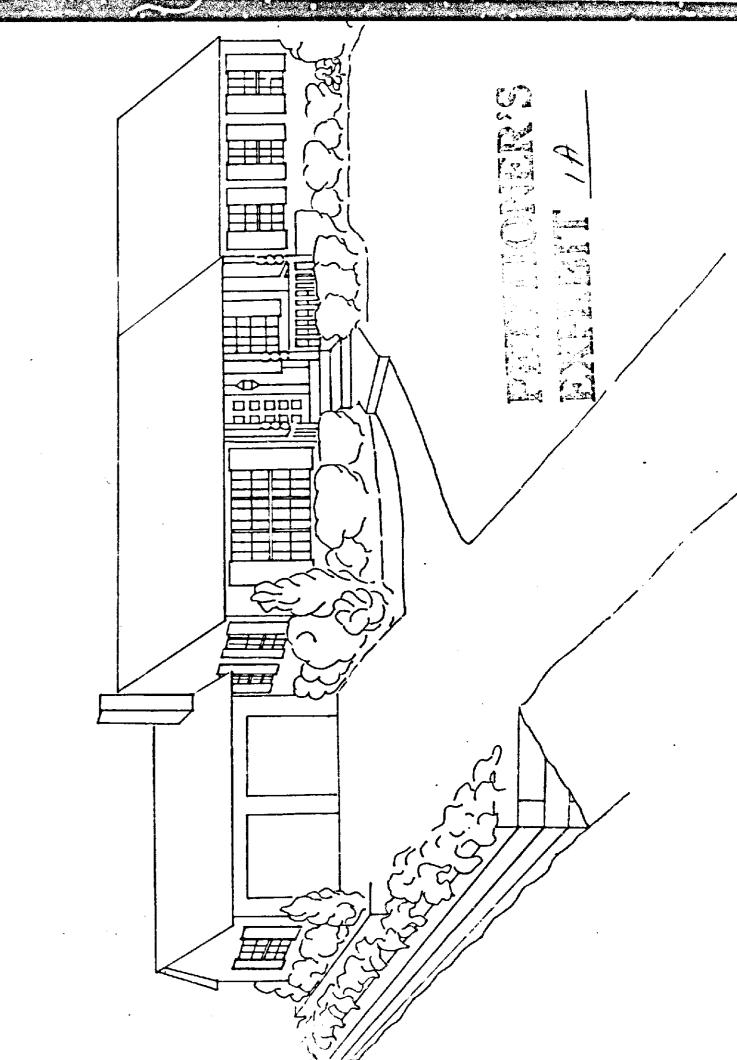
HEARING: Tuesday, April 7, 1981 (9:30 A.M.)

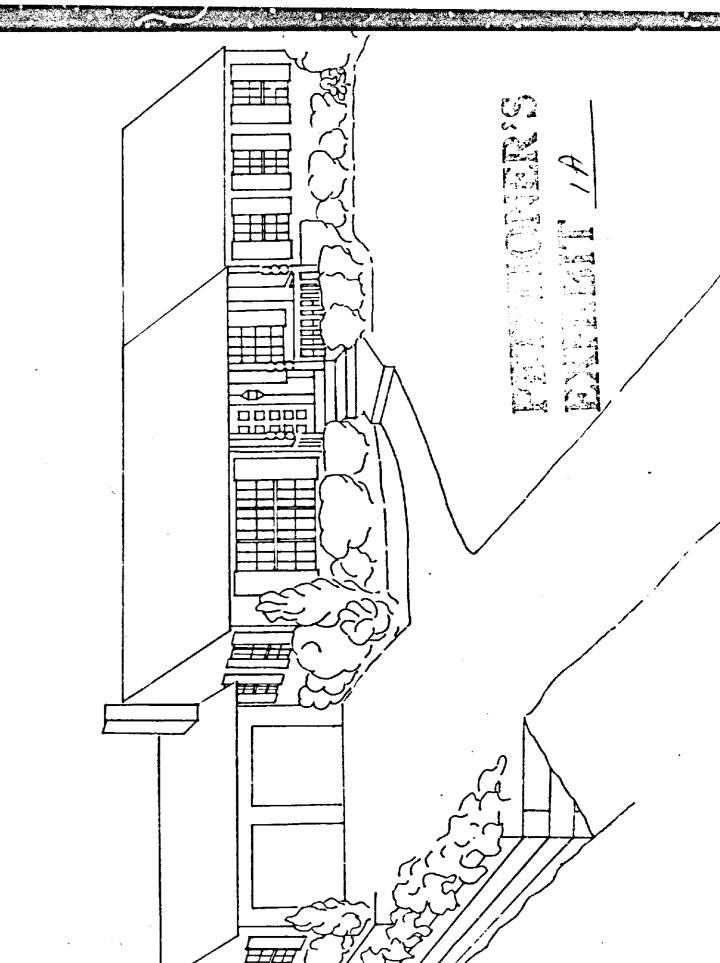
There are no comprehensive planning factors requiring comment on this petition.

Office of Planning and Zoning

NEG:JGH:ab







Zoning Commissioner

WEH:sj

BALTIMORE COUNTY
OFFICE OF PLANNING & ZOWING
TOWSON, MARYLAND 21204
494-3353 WILLIAM E. HAMMOND ZONING COMMISSIONER

April 21, 1981

Mr. & Mrs. Sheldon Franklin, III 7 Briarfield Court Lutherville, Maryland 21093

> RE: Petition for Variance S/S of Briarfield Court, 310' W of Tally-Ho Road - 8th Election District Sheldon Franklin, III, et ux -Petitioners NO. 81-171-A (Item No. 139)

Dear Mr. & Mrs. Franklin:

I have this date passed my Order in the above referenced matter in accordance with the attached.

> Very truly yours, Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire People's Counsel

PETITION FOR VARIANCE

8th District

ZONING: Petition for Variance for side yard setback

South side of Briarfield Court, 310 feet West of Tally-Ho Road LOCATION:

DATE & TIME: Tuesday, April 7, 1981 at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to allow a side yard setback of 5 feet in lieu of the required 15 feet

The Zoning Regulation to be excepted as follows:

Section 1B02.3B (205.3) - side yard setbacks

All that parcel of land in the Eighth District of Baltimore County

Being the property of Sheldon Franklin, III, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, April 7, 1981 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

BY ORDER OF WILLIAM E. HAMMOND ZONING COMMISSIONER FOR BALTIMORE COUNTY

Mr. & Mrs. Sheldon Prenklin, III 7 Brianfield Court Lutherville, Maryland 21093

partment
Hearing Date: Tuesday, April 7, 1991 at 9:30 A.M.
Public Rearing: Room 10d, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland By Order Of WILLIAM E. HAMMOND.
Zoning Commissioners.

of February

Makee, Daval & Associates, Inc. 1717 York Road intherville, Paryland XTME 2109)

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21201

Your Petition has been received and accepted for filing this 10th

	4	William &	5				
	Zonin	LIAM E. HAMMing Commissione	ME. HAMMOND ommissioner				
Petitioner		_Reviewed by:	Victob & Commede				
		Ni Cl	cholas B. Commodari nairman, Zoning Plans dvisory Committee				

CERTIFICATE OF PUBLICATION

PETITION FOR VARIANCE ZONING: Petition for Variance for side yard setback;
LOCATION: South side of Briarfield Court; 310 feet West of Tally-Ho Road
DATE & TIME: Tuesday, April 7, 1981 at 9:30 A.M.
PUBLIC "IEARING: Room 106, County Office Building, 111 W. Chempeare Avenue, Towson, Maryland" TOWSON, MD., March 19 1981 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed The Zoning Commissioner of Bal-timore County, by authority of the Zoning Act and Regulations of Bal-timore County, will hold a public hearing: and published in Towson, Baltimore County, Md., ance in zeach of one time \_\_\_\_\_ moccessive our estex before the \_\_\_ 7th \_\_\_\_ Petition for Variance to allow a side yard setback of 5 feet in lieu of the required 15 feet.

The Zoning Regulation to be excepted as follows:
Section 1802.8B (205.8)—side yard setbacks

All that parcel of land in the Eighth District of Baltimore County day of \_\_\_\_\_, 19\_81\_, the first publication appearing on the 19th day of March Beginning at a point on the South side of Briarfield Court said point being 310 feet West of the intersection of Taily-Ho Road and Briarfield Court and being known and designated as Lot 6 as shown on Plat 1 of Seminary Ridge Block B said plat being recorded among the Plat Records of Baltimore County in Plat Book O.T.G. 32 Folio 20. THE JEFFERSONIAN, Cost of Advertisement, \$\_\_\_\_\_ Being the property of Sheldon Franklin, III. et ux. as shown on plat plan filed with the Zoning De-

## MCKEE, DUVAL & ASSOCIATES, INC. Engineering - Surveying - Real Estate Development

1717 YORK RD. LUTHERVILLE, MARYLAND 21093

Telephone: (301) 252-5820

November 14, 1980

DESCRIPTION TO A COMPANY PETITION FOR ZONING VARIANCE

For Variance

8th District

Zoning: Petition for Variance for side yard

setback
Location: South side of
Briarfield Court, 310 feet
west of Tally-Ho Road

Date & Time: Tuesday,
April 7, 1981 at 9:30 a.m.
Public Hearing: Room
106, County Office
Building, 111 W.
Chesapeake avenue.

Towson, Maryland.
The Zoning
Commissioner of Baltimore

County, by authority of the

Zoning Act and Regulations of Baltimore County, will hold a public

Petition for Veriance to

silow a side ; and setback of 5 jeet in lieu of the required

The Zoning Regulation to be excepted as follows:

Section 1B02 3B (205.3) side yard setbacks
All that parcel of land in

the Eight District o

the south side of Briarfie Court said point being 31

shown on Plat 1 of
Seminary Ridge Block B
said plat being recorded
among the Plat records of
Baltimore County in Plat
Book OTG 32 Folio 20.

Department.
Hearing Date:
Tuesday, April 7, 1981
AT 9:30 A.M.

Towson, Maryland. BY ORDER OF William E. How

1

Public Hearing: Room
106. County Office
Building, 111 W.
Chesapeake avenue,

Beginning at a point on the South side of Briarfield Court said point being 310 feet West of the intersection of Tally-Ho Road and Briarfield Court and being known and designated as Lot 6 as shown on Plat 1 of Seminary Ridge Block B said plat being recorded among the Plat Records of Baltimore County in Plat Book 0.T.G. 32 Folio 20.

Mr. & Mrs. Sheldon Franklin, III
7 Briarfield Court Lutherville, Maryland 21093

March 9, 1981

NOTICE OF HEARING

IEITA-HO	Koad -	CTEG	NO.	91-1/1-Y	

RE: Petition for Variance - S/S Briarfield Court, 310' W of

9:30 A.M. Tuesday, April 7, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE

TOWSON, MARYLAND

cc: McKee, DuVal & Assoc., Inc. 1717 York Road Lutherville, Maryland 21093

The	Essex Times
ssex, Md.,	_ Sharel / 9 1981
	This is to Certify, That the annexed
	Detition
<del></del>	

was inserted in the Essex Times, a newspaper printed and published in Baltimore County, once in

BALTIMORE COUNTY, MARYLAND OFFICE OF FINA ... REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE March 9, 1981 ACCOUNT 01-652 RECEIVED McKee, DuVal & Assoc., Inc. FOR: Filing Fee for Case No. 81-171-A 35 6 747 3 10

VALIDATION OR SIGNATURE OF CASHIER

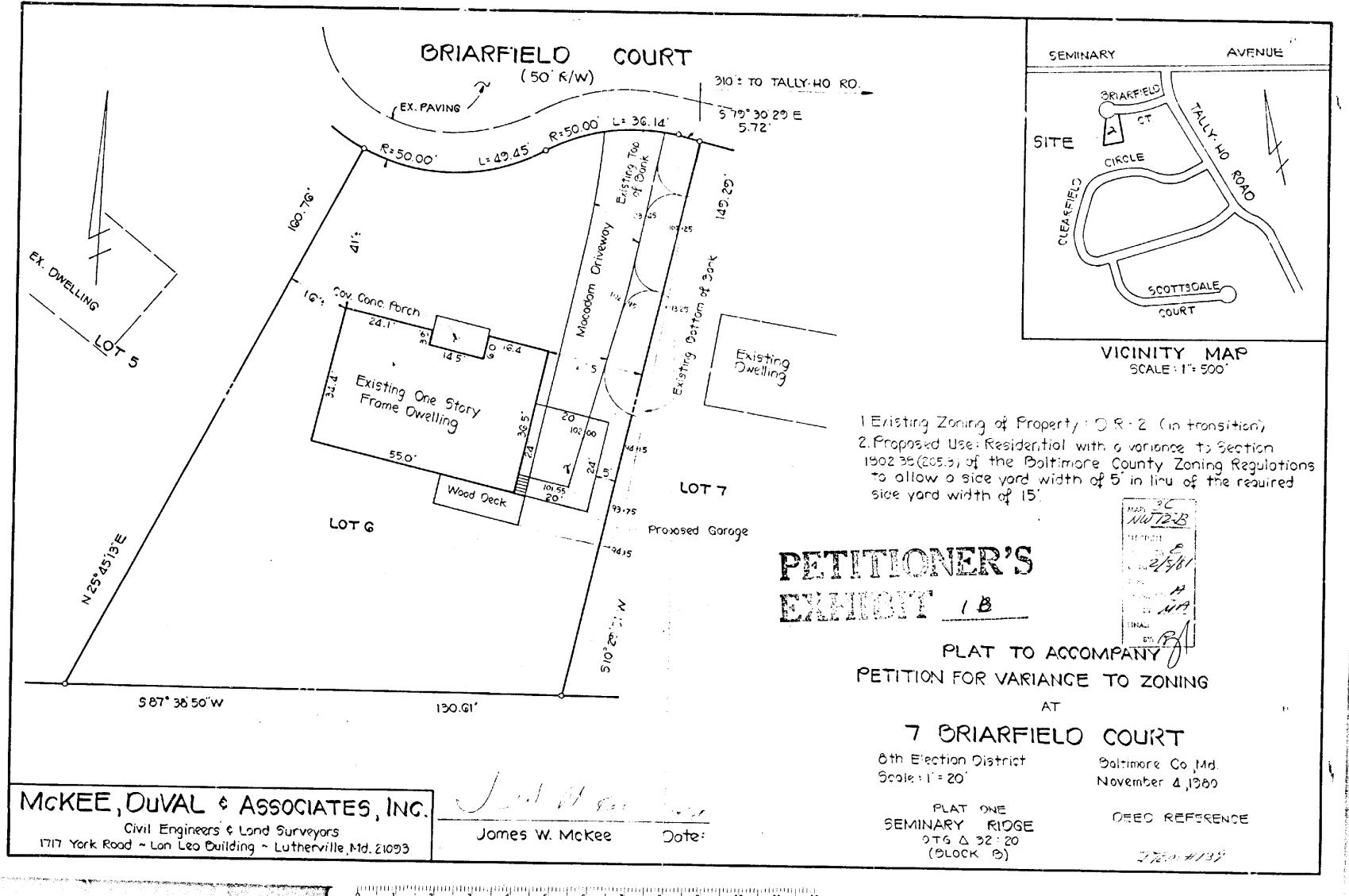
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building 111 W. Chesapeake Avenue

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William E. Hammond, Zoning Commissioner Petitioner Sholda + linka Frankling Reviewed by

\*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

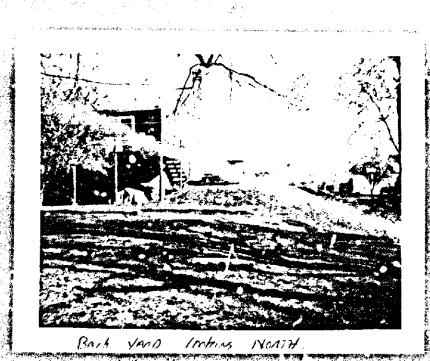
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PETITION	M	APPI	NG	PRC	OGRE	SS	SHE	ET		
FUNCTION	Wall Map Ori		Orig	ginal Dupl		icate	Tra	cing	200 Sheet	
101011011	date	Ьу	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by:					ed Pla		or des	criptic	on	Yes
Previous case:				Иар #				-		No





81-171-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland





Looking South Down Line ,



